

## **LISTING OF THE CLAIMS:**

1. (Previously presented) A method of making germline-transformed soybean plants using *Agrobacterium* mediation, the method comprising:
  - (a) initiating the germination of a soybean seed;
  - (b) isolating the embryonic axis including the embryonic meristem from the soybean seed to prepare an explant;
  - (c) exposing the explant to a disarmed *Agrobacterium* vector comprising a heterologous genetic construct comprising a selectable marker gene wherein the heterologous genetic construct is transferred into at least one cell in the explant;
  - (d) culturing the explant in the presence of a selection agent in a manner allowing identification of soybean cells of the explant to which the heterologous genetic construct has been transferred;
  - (e) inducing formation of one or more shoots from the explant, the shoot comprising germline transformed cells;
  - (f) cultivating the shoot into a whole fertile mature soybean plant.
2. (Previously presented) The method of claim 1 wherein step (c) is within 14 hours after step (a).
3. (Previously presented) The method of claim 1 wherein the heterologous genetic construct comprises a gene of interest and a coding sequence encoding a protein that confers glyphosate tolerance to a plant cell in which the sequence is expressed.
4. (Previously presented) The method of claim 3 wherein the protein that confers glyphosate tolerance is an EPSP synthase protein.
5. (Original) The method of claim 4, wherein the EPSP synthase protein is the CP4 protein.

6. (Original) The method of claim 1, wherein the selection agent is glyphosate.
7. (Previously presented) The method of claim 1 wherein the heterologous genetic construct comprises a gene of interest and a coding sequence encoding a protein that confers kanamycin tolerance to a plant cell in which the protein is produced.
8. (Previously presented) The method of claim 7 wherein the protein that confers kanamycin tolerance is a neomycin phosphotransferase II (nptII) protein.
9. (Original) The method of claim 1 wherein the selection agent is kanamycin.
10. (Original) The method of claim 1 wherein inducing formation of one or more shoots from the explant comprises application of a hormone or glyphosate to the explant.
- 11-15. (Canceled)
16. (Previously presented) A method of transforming a soybean cell using *Agrobacterium* comprising:
  - (a) initiating the germination of a soybean seed;
  - (b) isolating the embryonic axis including the embryonic meristem from the soybean seed to prepare an explant;
  - (c) exposing the explant to a disarmed *Agrobacterium* vector comprising a heterologous genetic construct comprising a selectable marker gene wherein the heterologous genetic construct is transferred into at least one cell in the explant;
  - (d) culturing the explant in the presence of a selection agent in a manner allowing identification of soybean cells of the explant to which the heterologous genetic construct has been transferred.
17. (Canceled)
18. (Previously presented) The method of claim 16, further comprising the step of (e)

inducing formation of one or more shoots from the explant, the shoot comprising germline transformed cells.

19. (Canceled)